



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

STADDON *et al.*

Appl. No. 09/848,353

Filed: May 4, 2001

For: **Modulating the Permeability of a Physiological Barrier with an Agent that Modulates Tyrosine Phosphorylation**

Confirmation No.: 1015

Art Unit: 1631

Examiner: Borin, M.L.

Atty. Docket: 0623.0410001/LBB/BJD

**Reply to Restriction Requirement
and Requirement for Election of Species**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated November 18, 2003, requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby provisionally elect to prosecute the invention of Group II, representing claims 21-26. In reply to the Election of Species Requirement in the same Office Action, Applicants hereby provisionally elect pervanadate as a species of agent affecting tyrosine kinase phosphorylation. Claims 21-25 read on the elected species. These elections are made without traverse, and without prejudice to or disclaimer of the other claims or inventions disclosed. In accordance with 37 C.F.R. § 1.141(a), Applicants also reserve the right to claim additional species, and/or to have additional species searched and/or examined, in the event that a generic claim is found to be allowable.

It is not believed that extensions of time are required beyond those that may otherwise be provided for accompanying documents. However, if additional extensions of

time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: Feb. 18, 2004

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